

PART 701—ORGANIZATION AND FUNCTIONS OF THE COMMISSION

Subpart A—Operations and Functions

Sec.

701.1 Establishment.

701.2 Responsibilities.

Subpart B—Organization Statement

701.10 Membership of the Commission.

701.11 Commission meetings—duties of the Chairman.

701.12 Staff Director.

701.13 Staff organization and functions.

AUTHORITY: Secs. 2-8, 97 Stat. 1301-1307 (42 U.S.C. 1975-1975f).

SOURCE: 50 FR 16261, Apr. 25, 1985, unless otherwise noted.

Subpart A—Organizations and Functions

§ 701.1 Establishment.

The United States Commission on Civil Rights (hereinafter referred to as the "Commission") is a bipartisan agency of the executive branch of the Government. The predecessor agency to the present Commission was established by the Civil Rights Act of 1957, 71 Stat. 634. This Act was amended by the Civil Rights Act of 1960, 74 Stat. 86; the Civil Rights Act of 1964, 78 Stat. 241; by 81 Stat. 582 (1967); by 84 Stat. 1356 (1970); by 86 Stat. 813 (1972); and by the Civil Rights Act of 1978, 92 Stat. 1067. The present Commission was established by the United States Commission on Civil Rights Act of 1983, 97 Stat. 1301. The statutes are codified in 42 U.S.C. 1975 through 1975f. (Hereinafter, the 1983 Act will be referred to as "the Act.")

§ 701.2 Responsibilities.

(a) The Commission's authority under section 5 of the Act may be summarized as follows:

(1) To investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of color, race, religion, sex, age, handicap, or national origin;

(2) To study and collect information concerning legal developments constituting discrimination or a denial of

equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap or national origin or in the administration of justice;

(3) To appraise the laws and policies of the Federal Government with respect to discrimination or denials of equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap, or national origin or in the administration of justice;

(4) To serve as a national clearinghouse for information in respect to discrimination or denials of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin;

(5) To investigate sworn allegations that citizens are being accorded or denied the right to vote in Federal elections as a result of patterns or practices of fraud or discrimination;

(6) To appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution involving Americans who are of eastern and southern European ethnic groups and report its findings to the Congress.

(b) Under section 5(c) of the Act, the Commission is required to submit reports to the President and to the Congress at such times as the Commission, the Congress or the President shall deem desirable.

(c) In fulfilling these responsibilities the Commission is authorized by the Act to hold hearings and to issue subpoenas for the production of documents and the attendance of witnesses; to consult with governors, attorneys general, other representatives of State and local governments, and private organizations; and is required to establish an advisory committee in each State. The Act also provides that all Federal agencies shall cooperate fully with the Commission so that it may effectively carry out its functions and duties.

Subpart B—Organization Statement

§ 701.10 Membership of the Commission.

(a) The Commission is composed of eight members, not more than four of

whom may be of the same political party. Four members are appointed by the President: Two members are appointed by the President pro tempore of the Senate and two members are appointed by the Speaker of the House of Representatives.

(b) The Chairman and Vice Chairman of the Commission are designated by the President with the concurrence of a majority of the Commission's members. The Vice Chairman acts as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

(c) No vacancy in the Commission affects its powers and any vacancy is filled in the same manner and is subject to the same limitations with respect to party affiliations as previous appointments.

(d) Five members of the Commission constitute a quorum.

§ 701.11 Commission meetings—duties of the Chairman.

(a) At a meeting of the Commission in each calendar year, the Commission shall, by vote of the majority, adopt a schedule of Commission meetings for the following calendar year.

(b) In addition to the regularly scheduled meetings, it is the responsibility of the Chairman to call the Commission to meet in a special open meeting at such time and place as he or she shall deem appropriate; *provided however*, that upon the motion of a member, and a favorable vote by a majority of Commission members, a special meeting of the Commission may be held in the absence of a call by the Chairman.

(c) The Chairman, after consulting with the Staff Director, shall establish the agenda for each meeting; *provided however*, that at the meeting of the Commission such agenda may be modified by the addition or deletion of specific items pursuant to the motion of a member and a favorable vote by a majority of the members.

(d) In the event that after consulting with the members of the Commission and consideration of the views of the members, the Chairman determines that there are insufficient substantive items on a proposed meeting agenda to warrant holding a scheduled meeting,

the Chairman may cancel such meeting.

§ 701.12 Staff Director.

A Staff Director for the Commission is appointed by the President with the concurrence of a majority of the Commissioners. The Staff Director is the Chief Executive Officer of the agency.

§ 701.13 Staff organization and functions.

The Commission staff organization and function are as follows:

(a) *Office of the Staff Director.* Under the direction of the Staff Director, this Office defines and disseminates to staff, policies established by the Commissioners; develops program plans for presentation to the Commissioners; evaluates program results; supervises and coordinates the work of other agency offices; manages the administrative affairs of the agency and conducts agency liaison with the Executive Office of the President, the Congress and other Federal agencies.

(b) *Office of the Deputy Staff Director.* Under the direction of the Deputy Staff Director, this Office is responsible for the day-to-day administration of the agency; evaluation of quantity and quality of program efforts; personnel administration and the supervision of Office Directors who do not report directly to the Staff Director. Units reporting directly to the Office of Deputy Staff Director are:

(1) *Equal Employment Opportunity Unit.* Under the direction of the Equal Employment Opportunity Officer, this Unit is responsible for the conduct of the agency's inhouse Equal Employment Opportunity Program.

(2) *Solicitor's Office.* Under the direction of the Solicitor, this Office is responsible for administrative law matters, including contracts, openness in government and government ethics, and the legal aspects of personnel, and labor relations issues.

(3) *Planning and Coordination Unit.* Under its Director, this unit is responsible for: coordinating the presentation of project proposals and coordinating the assignment of resources to approved projects; developing goals and priorities for projects and evaluating

Commission on Civil Rights

§ 701.13

their implementation and coordinating periodic program reports.

(c) *Office of the General Counsel.* Under the direction of the General Counsel, who reports directly to the Staff Director, this Office serves as legal counsel to the Commissioners and to the agency; plans and conducts hearings and consultations for the Commission; conducts legal studies; prepares reports of legal studies and hearings; drafts or review proposals for legislative and executive action and reviews all agency publications and congressional testimony for legal sufficiency.

(d) *Office of Program and Policy.* Under the direction of an Assistant Staff Director, who reports directly to the Staff Director, this Office is responsible for the development of concepts for programs, projects and policies directed toward the achievement of Commission goals; program management and the preparation of the publication *New Perspectives*.

(e) *Office of Management.* Under the direction of an Assistant Staff Director, this Office is responsible for all administrative, management and facilitative services necessary for the efficient operation of the agency, including financial management, personnel, publications and the National Clearing House Library.

(f) *Office of Federal Civil Rights Evaluation.* Under the direction of an Assistant Staff Director, this Office is responsible for: monitoring, evaluating and reporting on the civil rights enforcement effort of the Federal Government; preparing documents which articulate the Commission's views and concerns regarding Federal civil rights to Federal agencies having appropriate jurisdiction.

(g) *Office of Research.* Under the direction of an Assistant Staff Director, this Office is responsible for: conducting or stimulating studies to advance basic knowledge of the extent, causes and consequences of civil rights denials; preparing monographs dealing with subjects which are current national civil rights issues; monitoring, planning and conducting consultations on the civil rights implications of Federal programs and policies and current civil rights issues.

(h) *Office of Congressional and Public Affairs.* Under the direction of an Assistant Staff Director, this Office is responsible for liaison with the news media and the preparation of periodical publications on civil rights issues; liaison with committees and members of Congress, monitoring legislative activities relating to civil rights and preparing testimony for presentation before committees of Congress when such testimony has been requested by a committee; planning and managing conferences at which the Commission receives information regarding civil rights issues; establishing and maintaining liaison with government and private civil rights agencies; representing the Commission at government and private organization conferences and conventions; managing the Commission's consumer affairs program.

(i) *Office of Regional Programs.* Under the direction of an Assistant Staff Director, this Office is responsible for: Directing and coordinating the programs and work of the regional offices and State Advisory Committees to the Commission on Civil Rights and maintaining liaison between the regional offices and the various headquarters offices of the Commission.

(j) *Regional Offices.* The addresses of the Regional Offices of the Commission and the States which they serve are:

Region I: New England Regional Office, 55 Summer Street, Eighth Floor, Boston, Massachusetts 02110, (617) 223-4671

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont

Region II: Eastern Regional Office, Jacob K. Javits Building, 26 Federal Plaza, Room 1639, New York, NY 10278, (212) 264-0400
New Jersey and New York

Region III: Mid-Atlantic Regional Office, 2120 L Street NW., Room 510, Washington, DC 20037, (202) 254-67177

Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia

Region IV: Southern Regional Office, Citizens Trust Bank Building, 75 Piedmont Avenue NE., Room 362, Atlanta, Georgia 30303, (404) 221-4391

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee

Region V: Midwestern Regional Office, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois 60604, (312) 353-7371

Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin

Region VI: Southwestern Regional Office, Heritage Plaza, 418 South Main, First Floor, San Antonio, Texas 78204, (512) 229–5570

Arkansas, Louisiana, Oklahoma, Texas, and New Mexico

Region VII: Central States Regional Office, 911 Walnut Street, Room 3103, Kansas City, Missouri 64106, (816) 374–5253
Iowa, Kansas, Missouri, and Nebraska

Region VIII: Rocky Mountain Regional Office, The Executive Tower Building, 1405 Curtis Street, Suite 2950, Denver, Colorado 80202, (303) 844–2211

Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming

Region IX: Western Regional Office, 3660 Wilshire Boulevard, Suite 810, Los Angeles, California 90010, (213) 688–3437
Arizona, California, Hawaii, and Nevada

Region X: Northwestern Regional Office, 915 Second Avenue, Room 2854, Seattle, Washington 98174, (206) 442–1246
Alaska, Idaho, Oregon, and Washington.

PART 702—RULES ON HEARINGS, REPORTS AND MEETINGS OF THE COMMISSION

Subpart A—Hearings and Reports

Sec.

- 702.1 Definitions.
- 702.2 Authorization for hearing.
- 702.3 Notice of hearing.
- 702.4 Subpenas.
- 702.5 Conduct of proceedings.
- 702.6 Executive session.
- 702.7 Counsel.
- 702.8 Evidence at Commission proceedings.
- 702.9 Cross-examination at public session.
- 702.10 Voluntary witnesses at public session of a hearing.
- 702.11 Special executive session.
- 702.12 Contempt of the Commission.
- 702.13 Intimidation of witnesses.
- 702.14 Transcript of Commission proceedings.
- 702.15 Witness fees.
- 702.16 Attendance of news media at public sessions.
- 702.17 Communications with respect to Commission proceedings.
- 702.18 Commission reports.

Subpart B—Meetings

- 702.50 Purpose and scope.
- 702.51 Definitions.
- 702.52 Open meeting requirements.
- 702.53 Closed meetings.
- 702.54 Closed meeting procedures.
- 702.55 Public announcement of meetings.

702.56 Records.

702.57 Administrative review.

Subpart A—Hearings and Reports

AUTHORITY: Secs. 101–106, 71 Stat. 634–636, as amended; 42 U.S.C. 1975–1975e; Pub. L. 94–409, 90 Stat. 1241.

SOURCE: 32 FR 4063, Mar. 15, 1967, unless otherwise noted. Designated Subpart A at 42 FR 14108, Mar. 15, 1977.

§ 702.1 Definitions.

For purposes of the following Rules on Hearings of the United States Commission on Civil Rights, the following definitions shall apply, unless otherwise provided:

(a) *The Act* shall refer to the Civil Rights Act of 1957, 71 Stat. 634, as amended.

(b) *The Commission* shall refer to the United States Commission on Civil Rights or, as provided in § 702.2, to any authorized subcommittee thereof.

(c) *The Chairman* shall refer to the Chairman of the Commission or authorized subcommittee thereof or to any acting Chairman of the Commission or of such subcommittee.

(d) *Proceeding* shall refer collectively to any public session of the Commission and any executive session held in connection therewith.

(e) *Hearing* shall refer collectively to a public session of the Commission and any executive session held in connection therewith, but shall not include a session held for the sole purpose of receiving subpoenaed documents.

(f) *The rules in this part* shall refer to the Rules on Hearings of the Commission.

(g) *Report* refers to statutory reports or portions thereof issued pursuant to Section 104(c) of the Civil Rights Act of 1957, as amended.

(h) *Verified answer* refers to an answer the truth of which is substantiated by oath or affirmation attested to by a notary public or other person who has legal authority to administer oaths.

[32 FR 4063, Mar. 15, 1967, as amended at 36 FR 5702, Mar. 27, 1971. Designated at 42 FR 14108, Mar. 15, 1977, and further amended at 44 FR 75149, Dec. 19, 1979]